

**From:** Ann Gambrino  
**To:** Microsoft ATR  
**Date:** 1/27/02 8:26pm  
**Subject:** re: Microsoft cases

January 26, 2002

The Honorable Colleen Kollar-Kotally  
U.S. District Court, District of Columbia  
c/o: Renata B. Hesse  
Antitrust Division, U.S. Department of Justice  
601 D Street NW, Suite 1200  
Washington, DC 20530-0001

Dear Judge Kollar-Kotally:

I write to express my concerns about the proposed settlement of the Microsoft cases.

As the executive director of business/trade association, I consider myself to be very pro-business and generally supportive of free enterprise and open competition. However, in order for the free enterprise system to properly work, there must be an opportunity for businesses to actually compete against each other! I respect Microsoft for what they have been able to accomplish, but I believe Microsoft has gone too far in some of its practices. As a result, a competitive market in their sector no longer exists, and businesses and consumers are hindered and frustrated.

I understand that a settlement has been proposed that the Department of Justice has found acceptable. I further understand that various attorney generals have also found the proposed settlement acceptable. The Attorney General of the State of Utah is not one of them. I support his position and believe that the terms of the settlement are too lenient on Microsoft. Adoption of the proposed settlement would do nothing but delay the imposition of reasonable sanctions, prohibitions, and conditions on Microsoft until the next government action is taken, if any. In the meantime, Microsoft would essentially walk away with a hand-slap and the ability to continue its anti-competitive behavior. This could also set a precedence that would allow other businesses to take similar control of a market, because they know that they could get away with only lenient punishment, if any.

I ask the court to conduct hearings to determine an appropriate remedy that will reasonably penalize Microsoft for past actions and prevent future violations of antitrust laws. Such an action will only be in the best interest of all businesses and consumers.

Sincerely,

Ann Gambrino, executive director  
Utah Hotel & Lodging Association

cc: The Honorable Mark Shurtleff, Utah Attorney General  
Jonathon Jaffe, The MWW Group

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